



"Bill Hutchison"
<hutch@robertskaplan.com>

11/10/2009 06:15 PM

To: Lori Cora/R10/USEPA/US@EPA

cc: Kristine Koch/R10/USEPA/US@EPA

bcc:

Subject: RE: FW: Status of LPA Matter - Portland Harbor

No, LPA is still interested in achieving a settlement as soon as reasonably possible. Yes we will still want to pursue settlement. Even if complete agreement can't be reached by month's end, substantial progress, a foundation for settlement, and a clear path forward hopefully can be such that an extension will be justified. We face similar time constraints from LWG. Given the timetable you described, I'm hopeful we might be able to discuss EPA's response before the end of next week.

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-----Original Message-----

From: Cora.Lori@epamail.epa.gov [mailto:Cora.Lori@epamail.epa.gov]

Sent: Tuesday, November 10, 2009 5:19 PM

To: Bill Hutchison

Cc: koch.kristine@epa.gov

Subject: Re: FW: Status of LPA Matter - Portland Harbor

Bill: If BP withdraws its offer to purchase the property, will that affect LPA's desire to settle with EPA? I'm afraid we won't have an agreement by the end of the month. So we need to know if LPA still will want to pursue a settlement.

Lori Houck Cora
Assistant Regional Counsel
Office of Regional Counsel
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11/10/2009 04:53
PM

To
Lori Cora/R10/USEPA/US@EPA
cc
Kristine Koch/R10/USEPA/US@EPA
Subject
FW: Status of LPA Matter -
Portland Harbor

Lori: Thanks for this response. I understand the timetable you describe and will look forward to hearing from you later this month. We have been advised by BP that without a promise of success on the resolution of liability issues arising out of their prospective purchase of the LPA property that they will be terminating their agreement effective the end of this month. I'm hopeful that before then we will have a settlement concept from EPA and LWG that will prove promising enough from the perspective of all participants to warrant staying the course. If talking this through would help, let's set a good time to talk. We appreciate your efforts

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-----Original Message-----

From: Cora.Lori@epamail.epa.gov [mailto:Cora.Lori@epamail.epa.gov]
Sent: Tuesday, November 10, 2009 11:10 AM
To: Bill Hutchison
Cc: koch.kristine@epa.gov
Subject: Re: Status of LPA Matter - Portland Harbor

Bill: EPA received your offer on November 2, 2009, one week ago. The offer along with the technical information you have provided is under review by EPA. After we have had time to review and consider the information and the offer, we will get back to you. We anticipate at least two to three weeks until we can respond. When we have spoken previously, you never informed me of a termination date on which BP's interest in purchasing the property would expire. What is the deadline and why is there a deadline? Unfortunately, reaching settlement on LPA's liability at Portland Harbor will take some time to work through.

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11/10/2009 09:41
AM

To	Lori Cora/R10/USEPA/US@EPA
cc	Kristine Koch/R10/USEPA/US@EPA
Subject	Status of LPA Matter - Portland Harbor

Lori and Kristine: LPA's underlying sale transaction is in jeopardy and I fear soon LPA's ability to add multiple value to this remediation and restoration effort will be too. Our recent efforts to make contact have been unsuccessful. We have previously furnished responses to your technical and financial questions and have hoped to learn the results of your consideration of these

If you would call or email me today, I would appreciate it. Thanks.

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